

Bills have carefully examined and compared

Senate bill No. 27, A bill to be entitled "An Act to amend an act creating an independent school district to be known as Corpus Christi Independent School District," etc.,

And find the same correctly engrossed.
WARD, Chairman.

EIGHTH DAY.

Senate Chamber,
Austin, Texas,
Saturday, April 24, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

The roll was called, a quorum being present, the following Senators answering to their names:

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Thomas.
Hume.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Mayfield.	Willacy.
Meachum.	

Absent.

Sturgeon. Veale.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Weinert, the same was dispensed with.

EXCUSED.

On account of sickness:

Senator Hudspeth for Thursday and yesterday, on motion of Senator Terrell of Bowie.

BILLS AND RESOLUTIONS.

By Senator Cofer:

Senate bill No. 34, A bill to be entitled "An Act to amend Sections 3 and 6 of an act passed by the Twenty-eighth Legislature, entitled 'An Act to reor-

ganize the Fifteenth and Fortieth Judicial Districts of Texas, and to create the Fifty-ninth Judicial District of Texas; to name the counties composing each of said districts; to prescribe the time of holding the terms of the district court in each of said districts; to provide for the extension and return of process issued out of said court; empowering the judge of the Fifteenth Judicial District to empanel the grand jury for Grayson county, and giving authority to the judges of either the Fifteenth or Fifty-ninth Judicial Districts in Grayson county to transfer cases from their respective courts to the other of said courts and to validate all writs, process and bonds, civil and criminal, issued or executed up to the time this act takes effect, by or from the district courts of the several counties named in this act; and to provide for the appointment of a district judge for the Fifty-ninth Judicial District of Texas, and declaring an emergency," changing the time of holding court in the Fifty-ninth Judicial District to empanel a grand jury for Grayson county, and providing that the judge of the Fifteenth Judicial District may empanel a grand jury for Grayson county in his discretion, adding Section 8a, validating process, etc., issued in the Fifteenth and Fifty-ninth District, and declaring an emergency."

Read first time, and referred to Committee on Judicial Districts.

By Senator Terrell of Bowie:

Senate bill No. 35, A bill to be entitled "An Act amending Section 8 of an act passed by the First Called Session of the Thirty-first Legislature of the State of Texas, entitled 'An Act defining and regulating fraternal beneficiary associations, and repealing Chapter 115 of the General Laws of the Twenty-sixth Legislature of the State of Texas as amended by Chapter 86 of the General Laws of the Twenty-seventh Legislature and by Chapter 113 of the General Laws of the Twenty-eighth Legislature and by Chapter 106 of the General Laws of the Twenty-ninth Legislature,' and declaring an emergency."

Read first time, and referred to Committee on Insurance, Statistics and History.

By Senators Mayfield and Sturgeon:

Senate bill No. 36, A bill to be entitled "An Act to provide for the securing of deposits in banks and in trust companies; creating a State Banking Board; defining its powers and duties;

permitting said banking board to create a security fund for the purpose of securing depositors; placing said fund under the control, management and supervision of said board, and fixing the conditions and terms by which State banks and trust companies shall avail their depositors of the benefits of said fund; fixing the premiums to be paid for the creation of said depositors; security fund and the manner and time of the payment of such security fund as herein provided; authorizing certain advertising privileges to such banks and trust companies that avail themselves of the provisions of this act; creating the depositors security fund and prescribing the duties of said banking board and providing a penalty for violations of this act, also providing for the securing of deposits in banks and trust companies by filing a bond with the Commissioner of Banking and providing that all State banks and trust companies organized, or hereafter to be organized, shall avail their depositors of the protection provided for this act, making it elective for the State banks and trust companies to secure their depositors by availing themselves of the depositors security fund, or by filing the bond as provided in this act, and providing that all National banks in this State may, if they desire, at their option voluntarily avail their depositors of the protection afforded by this act; and providing penalties for the violation of any of the provisions of this act."

Read first time, and referred to Committee on Insurance, Statistics and History.

Morning call concluded.

BILLS SIGNED.

The Chair (Lieutenant Governor Davidson) gave notice of signing, and did sign in the presence of the Senate, after their captions had been read, the following bills:

House bill No. 26, "An Act to amend Chapter 17 of the General Laws, passed by the Regular Session of the Twenty-eighth Legislature, entitled 'An Act to create the Fifty-second Judicial District of the State of Texas, composed of the counties of Coryell, Hamilton and Comanche; to provide for the present district judge of the Forty-seventh District acting as judge of the Fifty-second District until the next general election; and to provide for the appointment of a district attorney for the

Fifty-second Judicial District; to amend Section 2, Chapter 51 of the Acts of the Twenty-fifth Legislature, approved April 3, A. D. 1897; reorganizing the Forty-second Judicial District of Texas, to amend Section 29, Article 22, Title 4 of the Revised Statutes of 1895 of Texas, by reorganizing the Twenty-ninth Judicial District; to amend an act entitled 'An Act to change and fix the terms of holding court in the Thirty-ninth Judicial District of the State of Texas,' passed by the Twenty-sixth Legislature, and approved May 9, 1899, to provide for the appointment of a judge of the Forty-second District; to fix the time of holding court in all the above named districts; to validate all writs and other processes heretofore issued out of the district courts of the said Twenty-ninth and Forty-second Districts of Texas; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency'; the same to be and is hereby amended so as to change, fix and arrange and extend the time of holding court in the Twenty-ninth Judicial District of Texas, composed of the counties of Palo Pinto, Hood, Somervell and Erath, and to repeal all laws and parts of laws in conflict herewith."

Senate bill No. 5, "An Act making appropriations for the deficiencies in the appropriations heretofore made for the support of the State Government for the fiscal years ending August 31, 1905, August 31, 1906, August 31, 1907, August 31, 1908, and August 31, 1909, and to pay deficiencies such as may occur and be approved by the Governor during the fiscal years ending August 31, 1909, August 31, 1910, and August 31, 1911, being for claims registered in the Comptroller's office in accordance with laws, and for outstanding claims not registered, and declaring an emergency."

Senate bill No. 10, "An Act to incorporate the Amarillo Independent School District; to provide for the election of trustees; the issuance of bonds; the repeal of the original independent school district for Amarillo; and declaring an emergency."

House bill No. 44, "An Act creating and incorporating the Robert Lee Independent School District in Coke county, Texas."

House bill No. 43, "An Act creating and incorporating the Bronte Independent School District in Coke county, Texas."

ADJOURNMENT.

Senator Alexander moved that the Senate recess until 4 o'clock today.

Senator Murray moved that the Senate adjourn until 10 o'clock Monday morning.

Action being on the longest time first, the motion to adjourn until Monday morning at 10 o'clock was adopted by the following vote:

Yeas—12.

Adams.	Paulus.
Hudspeth.	Peeler.
Hume.	Real.
Kellie.	Senter.
Masterson.	Watson.
Murray.	Weinert.

Nays—10.

Alexander.	Holsey.
Bryan.	Mayfield.
Cofe.	Perkins.
Harper.	Terrell of Bowie.
Hayter.	Ward.

Absent.

Brachfield.	Terrell of McLennan.
Greer.	Thomas.
Meachum.	Veale.
Stokes.	Willacy.
Sturgeon.	

APPENDIX.

PETITIONS AND MEMORIALS.

The Chair had the following read to the Senate:

Mt. Pleasant, Texas, April 21, 1909.

Hon. A. B. Davidson, President of the Senate, Austin, Texas:

Dear Sir: We certainly want to enter our protest against any guarantee law like the Cureton bank guarantee law proposed.

I honestly and sincerely believe that it would be well to let the guarantee measure alone for this time, and give more time for investigation.

I could, I know, get up a petition and get a number of signers, but enough it seems to me has already been done along this line to convince the Legislature that the thinking business people who have deposits are pretty well all against the Cureton plan, when they have studied it properly. (I expect there are some exceptions occasionally.)

What per cent of bankers and depositors do you think favor any kind of guarantee?

What per cent of these do you think favor the bill for personal reasons? Do you suppose any people in Texas would like to have the State banks take precedence over the National banks?

Inasmuch as millions of Texas people's money is tied up in National bank stock, do you argue with some that the National bankers, shareholders of National bank ought to have nothing to say, even when a law is proposed which is clearly a discrimination against their interests?

But you have had arguments—perhaps too much—until you are tired of it, but we want you to know that we do not want the Cureton bill nor anything like it, and we would appreciate having the guarantee matter dismissed altogether if at all consistent with the views of your honorable body. Very much oblige,

W. H. SEAY.

There are hundreds and thousands like me, all of our shareholders, so far as I know.—W. H. S.

Stamford, Texas, April 20, 1909.

Hon. A. B. Davidson, Lieutenant Governor, Austin, Texas:

We, the undersigned business men and farmers, citizens of Jones county, Texas, most heartily commend your action and that of the seventeen Senators who have stood for the Hume-Senter bill, which fixes responsibility on stockholders of banks, where it should be. We respectfully urge that you use all efforts to sustain your position in the matter.

Numerously signed.

Denison, Texas, April 20, 1909.

To the Hon. A. B. Davidson, Lieutenant Governor, Austin, Texas:

We commend and approve the attitude of the Senators supporting the Hume-Senter bill, and hope they will stand firm for its passage, believing as we do that its provisions are just and equitable and that it amply provides for the security of bank deposits.

Numerously signed.

Colorado, Texas, April 20, 1909.

To Hon. A. B. Davidson, Lieutenant Governor, Austin, Texas, Senate Chamber, State Senate.

Dear Sir: We, the undersigned citizens and business men of Colorado, in Mitchell county, desire to say that we favor the guaranty of bank deposits bill offered by Senators Senter and Hume,

and known as the Senter-Hume substitute, as a more satisfactory solution of the subject of guaranty of deposits yet offered in either the Senate or House, and trust that the seventeen Senators who voted for this bill will not recede from their position in the support of a weaker measure.

Numerously signed.

By Senator Ward:

To the Legislature of Texas:

As citizens and taxpayers of Texas and as Texas depositors loyal to her interests and earnest in the purpose that her legislation should be both wise and efficient, we earnestly desire the passage of the Cureton-Mobley bank guaranty bill now pending before your honorable body.

We, as depositors, deeply appreciate the principles of protection therein contained and congratulate the House of Representatives in demonstrating their fidelity to the people in indorsing this measure by such a splendid majority.

The absolute protection offered the depositors by the Cureton-Mobley bank guaranty bill and the effectiveness of such a law to accomplish security for bank deposits removes any pretext for the enactment of a law guaranteeing deposits by individual security or indemnity.

We recognize the insecurity of individual guarantee; and sincerely hope that the Senate will not force the people of Texas to accept a subterfuge indemnifying by granting them the privilege of litigation in order to secure the protection to which they are justly entitled.

Numerously signed.

By Senator Senter:

Lancaster, Texas, April 20, 1909.

Hon. A. B. Davidson, Lieutenant Governor, Austin, Texas.

Dear Sir: We, the following qualified Democratic voters of this community desire through you to express our commendation and endorsement of the action taken by Hon. E. G. Senter and the other sixteen Senators in opposing the Cureton bank guaranty bill, which bill was recently presented to your honorable body for passage.

We do not oppose a bank guaranty law that will impose the liability of same on the officers, directors and stockholders of the individual bank where it belongs, but we know of no principle in law or equity that can ask one man or commercial business to enter into copartnership with every other

business of his kind to guarantee his liabilities when he has no voice in the management of his affairs or share in his profit.

We think the principles set forth in the Cureton bank guaranty bill are socialistic, populist and unjust, and is void of the least appearance of sound Democratic principles.

Numerously signed.

By Senator Weinert:

Martindale, Texas, April 22, 1909.

Hon. F. C. Weinert, Austin, Texas.

Dear Sir: I want to write and tell you I admire the stand you have taken in regard to the guarantee of bank deposits, and while our bank is a private institution and this guarantee would not affect us, at the same time I think it is one of the most radical pieces of legislation that could be enacted.

I believe when one's Senator or Representative does a good act as you have done their constituents' duty is 'o write and tell them they admire their course.

Yours very truly,

J. B. MARTINDALE.

The Chair had the following read:

Hon. A. B. Davidson, Lieutenant Governor, Austin, Texas.

Dear Sir: At a public meeting of the Business Men's Club of Yorktown, Texas, the following resolutions were adopted, to-wit:

Whereas, The Legislature of the State of Texas is now in session to enact just and equitable laws; and,

Whereas, It seems as there are two factions in the representative legislative body, one conservative and one radical in principle; therefore, be it

Resolved, That we heartily agree with the conservative element of our lawmakers and especially endorse your public utterance; and be it further

Resolved, That we admire the firm stand the conservative element of the Senate has taken to uphold their convictions in the face of oratorical display of the outside big political guns, which influences are evidently the cause of these extra sessions of the Legislature and increasing the expenses to the taxpayers of the State; and be it further

Resolved, That we are not opposed to equitable and just laws that would be fair to the general welfare of the public, but we are opposed to further banking legislation, and especially so to the Cureton bank bill; same is impracticable to our minds and fully be-

lieve that 90 per cent of the people are opposed to same.

Kindly read to the Senate.

We are very respectfully yours,

Signed—J. W. Hoff, R. H. Eckhardt, Gus J. Nau, C. L. Striber, E. T. Clark, Charles Mertins, R. McBain, M. H. Jacob, W. H. Dunn, B. L. Hausmann, J. C. Wise, R. Jersig, H. F. Junker.

A true and accurate copy,

R. C. FECHNER.

By Senator Hume:

Midlothian, Texas, April 23, 1909.

Senator Hume, Austin:

Oppose Cureton guarantee bill; this message not dictated by Adams.

FARMERS STATE BANK.

NINTH DAY.

Senate Chamber,
Austin, Texas,

Monday, April 26, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

The roll was called, a quorum being present, the following Senators answering to their names:

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Thomas.
Hume.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Willacy.
Meachum.	

Absent.

Sturgeon. Weinert.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Saturday, on motion of Senator Perkins, the same was dispensed with.

BILLS AND RESOLUTIONS.

By Senator Veale:

Senate bill No. 37, A bill to be entitled "An Act to amend Section 7, Chapter 55, page 509, Special Laws of the Regu-

lar Session of the Thirtieth Legislature of the State of Texas, approved April 4, 1907, entitled 'An Act creating and incorporating Lubbock Independent School District, in Lubbock county, Texas,' etc.

Read first time, and referred to Committee on Educational Affairs.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 26, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 58, A bill to be entitled "An Act to amend the city charter of the city of Greenville and the acts amendatory of said city charter of the city of Greenville, and to amend an act to amend said charter, approved the 22d day of March, 1909, by amending Section 1 of Article 3, Section 13a of Article 8 and Subdivision 18 of Section 15 of Article 8, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 26, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 5, A bill to be entitled "An Act providing for the completion by the Penitentiary Board of Commissioners of the railroad now owned by the State of Texas at Rusk Penitentiary, for its maintenance, equipment and operation; providing for condemnation of right of way and material therefor, and other property; providing for condemnation proceedings; providing for the issuance of bonds by the Board of Penitentiary Commissioners aggregating \$200,000, bearing interest at 5 per cent per annum; providing that \$150,000 shall be used to redeem bonds issued under and by virtue of Chapter 74 of the Acts of the Thirtieth Legislature; providing a lien upon said State railroad, its equipment; providing a method of